

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)	
UNITED STATES OF AMERICA)	
)	
	v.)	Criminal No. 1:19-cr-10195 WGY
)	
HAOYANG YU,)	
	Defendant.)	
)	

UNITED STATES' RESPONSE TO COURT ORDER (ECF No. 422)

The United States is seeking restitution for pecuniary losses suffered by ADI, the victim in this case, because of the defendant's criminal conduct. In support of the government's request, it has submitted two memorandums detailing legal fees totaling \$606,878.66 incurred by ADI in connection with the government's criminal investigation of the defendant and his company, Tricon MMIC. ECF No. 406 and 418. In response to these memorandums, the Court ordered the government to provide a "searchable, easy-to-parse spreadsheet" of the legal fees incurred by ADI, and asked the government to "categorize[] each cost incurred according to the types of fees outlines in *United States v. Chan*, No. 16-cr-10268-IT...." ECF No. 422.

Exhibit 1 to this memorandum is CD containing a searchable spreadsheet of the legal fees incurred by ADI due to the defendant's criminal conduct.¹ Each cost has been placed into one of the following five categories of fees:

- 1) Expenses Incurred for Work Performed Related to Compiling and Producing Documents or Information to the Government;
- 2) Expenses Incurred for Work Performed Related to Witness Preparation;
- 3) Attendance at Proceedings to Protect Confidentiality of ADI Trade Secrets;
- 4) Fees Incurred in Seeking Restitution; or
- 5) Other Expenses Incurred During Participation in the Investigation or Prosecution of the Offense (*see* 18 U.S.C. § 3663A(b)(4))

¹ Consistent with the government's previously filed motion to seal the legal invoices, the government respectfully asks that Exhibit 1 be placed under seal.

While creating the spreadsheet in Exhibit 1, a handful of legal fees totaling \$321.49 were either (1) removed because they did not appear to meet the standard for restitution, or (2) reduced because they did not properly reflect a discount provided to ADI by the applicable law firm. The total amount of legal fees itemized in Exhibit 1, therefore, is \$606,557.17 (or \$321.49 *less* than the restitution amount sought in the government's last restitution filing, ECF No. 418).

In accordance with the Mandatory Victim Restitution Act, 18 U.S.C. § 3663A, the United States requests that the Court order restitution to ADI in the amount of \$606,557 and enter an amended judgment reflecting that restitution amount. The government also requests that the amended judgment require Yu to return to ADI all information that he improperly took from ADI in his possession, custody, or control. 18 U.S.C. § 3663A(b)(1)(A).

Respectfully submitted,

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By: /s/ Jason A. Casey
Jason A. Casey
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Dated: December 12, 2023